

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

UNITED STATES OF AMERICA

v.

ROBERT TRIVEIL TURNER

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CR 620-010

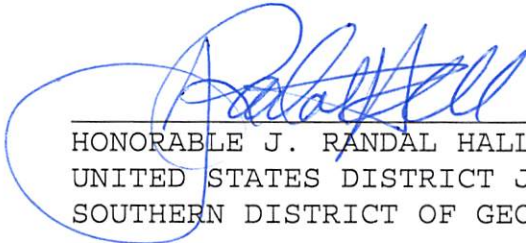
O R D E R

On November 13, 2024, the Court received a motion from Defendant Robert Triveil Turner, which had been deposited into the mail on November 6, 2024. It is identical to the motion Defendant filed on February 6, 2024, in which he moved to reduce his sentence based upon Amendment 821 to the United States Sentencing Guidelines. Obviously, Defendant did not have the benefit of the Court's Order of November 4, 2024, which denied his motion to reduce sentence. In particular, the Court determined that while retroactive application of Amendment 821 results in an amended guideline range, he is not entitled to a reduction in sentence because his original sentence of 96 months is less than the minimum of the amended guideline range of 108 to 135 months.¹ See U.S.S.G. § 1B1.10(b)(2)(A).

¹ Because Part A of Amendment 821 provides a retroactive adjustment for certain offenders whose criminal history was impacted by "status points" under U.S.S.G. § 4A1.1(e), Defendant's criminal history points were reduced from 3 to 1, changing his criminal history category from II to I. Thus, Defendant's original guideline range

Having already denied his motion to reduce based on Amendment 821, Defendant's recent identical motion (doc. 63) is **DENIED AS MOOT**. As an aside, the Court notes that contrary to his argument on page 4 of his motion, Defendant did not receive a criminal history point for failure to pay child support; rather he received one criminal history point for driving with a suspended license on April 5, 2019, for which he received 12 months' probation and served 30 days of confinement when his probation was revoked. See U.S.S.G. §§ 4A1.1(c), 4A1.2(k).

ORDER ENTERED at Augusta, Georgia this 19th day of November, 2024.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA

of 121 to 151 months' imprisonment is now 108 to 135 months' imprisonment.